

REMARKS

The title has been amended as requested.

Claims 1, 4, 10, 13 and 16 stand rejected under § 102(e) on the basis of Chaudhuri et al. '171. Applicants respectfully traverse this rejection because Chaudhuri '171 does not disclose (or suggest) making a cost comparison between (1) performing a search of all the records, and (2) generating an index and searching through the generated index, and then adopting the approach that is cheaper between these two approaches.

Actually, Chaudhuri '171 merely describes a step of determining which approach to adopt between using an existing index and creating a new index. This feature is clearly distinguishable from the feature of independent claims 1, 10, 13 and 16 described above, i.e., determining which approach to adopt between the all record search and index generation. Withdrawal of this rejection is respectfully requested.

Claims 1, 10, 13 and 16 stand rejected under § 102 on the basis of Tenorio et al. '048. Applicants traverse this rejection because Tenorio does not disclose (or suggest) a cost comparison based on the conditions claimed in the present invention.

The invention in Tenorio includes a GCD 42 displaying a pattern (illustrated in Fig. 2) to enable a buyer to specify any of the subclasses (categories) contained in the pattern so that a search can be conducted through portions corresponding to the specified category within respective databases belonging to sellers (GCD 42 performs a search without storing any database contents within itself). This feature of Tenorio is clearly different from the present invention.

Additionally, the process described in paragraph [0006] in Tenorio, pointed out by the examiner, is associated with a determination criteria which is different from that adopted in the present invention. In Tenorio, a determination is made based on the total times calculated to be required, respectively, for reading and writing the data. In contrast, the present invention makes a cost comparison and determination according to conditions (e.g., search conditions, deletions, etc.), set out in an issued SQL sentence. Withdrawal of this rejection is also requested.

Claims 1-2, 4-7, 10-11, 13-14 and 16 stand rejected under § 102 on the basis of Smith '510. Applicants traverse this rejection because Smith does not disclose (or suggest) making the cost comparison and adopting the lower cost approach, as in the rejected independent claims.

The examiner asserts that this feature of claim 1 is disclosed in Smith at col. 10, lines 60-67, and at col. 12, line 65 to col. 13, line 5. However, the portions between col. 12, line 65 and col. 13, line 5 describe determining whether the best suited index is found in existing indexes by comparing a candidate index to each of the existing indexes. This feature is entirely different from the above-described feature of claim 1.

At col. 10, lines 60-67, Smith describes determining whether it is better to perform a search through all records in a manner based on a certain re-assigned threshold value. Reading further discloses that this threshold value is, for instance, things that are impossible to adopt in an index, such as , "NOT EQUAL, LIKE, SUBSTRING, etc." or a specific incidence, such as "equal to or more than something." This manner of determination

is very general, and the description at col. 10, lines 60-67 does not anticipate the claim 1 feature, “making a cost comparison and adopting the lower cost approach.” Withdrawal of this rejection of independent claim 1 is respectfully requested.

The examiner asserts that this and other features of claim 2 are described in Smith at col. 10, lines 60-67 and col. 12, lines 32-65.

Claim 2 features not only making the cost comparison as set out in claim 1, but also preparing an index that complies with only a retrieval condition from an existing index that is found to comply with a wider range condition than the retrieval condition, if such index is found from among existing indexes.

Smith, in contrast, is silent on this retrieval condition. In particular, Smith does not describe a matching condition concerned with data, while it does describe a matching condition concerned with a column. Thus, the above described retrieval condition (a condition concerned with data, in particular) is not anticipated by Smith. Withdrawal of this rejection of claim 2 is requested.

The rejections of independent claims 10, 13 and 16 are traversed for the reasons given with respect to independent claim 1, and the rejections of the associated dependent claims are traversed for those reasons as well, and in light of the additional features those claims recite. Withdrawal is respectfully requested.

Claims 3, 12 and 15 stand rejected under § 102(e) on the basis of Chaudhuri ‘983. Applicants traverse this rejection for the following reasons. Claims 3, 12 and 15 define not only making the cost comparison as set out in claim 1, but also preparing an index

capable of being searched through with a provided retrieval condition, by combining a number of existing indexes.


The examiner asserts that these features are described in Chaudhuri '983 at col. 13, lines 20-40 and col. 14, lines 15-40, 51-55 and 63-67. However, Chaudhuri '983 is concerned with a tool for an index-merge. In its SUMMARY in col. 1, for instance, the reference seemingly describes creating an index by merging two or more indexes. The portion of the reference pointed out by the examiner, which is an explanation of the drawing in Fig. 4 of Chaudhuri '983, apparently describes comparing a set (S) of initially available indexes to an index (S') created by combining these available indexes and using the index, S', if it is better to do so in terms of associated memory volume and cost.

Applicants assert that the invention in Chaudhuri '983 is concerned with optimizing "the combination of columns" when using an index, and is different from the claim 3 feature," "generating an index corresponding to a retrieval condition" (condition dependent combination). Withdrawal of this rejection is also requested. Withdrawal of the rejections of dependent claims 8 and 9 is requested for the same reasons.

For the foregoing reasons, applicants believe that this case is in condition for allowance, which is respectfully requested. The examiner should call applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,

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